

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, May 14, 2002, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CYNTHIA P. COAD**  
CHAIR  
Fourth District

**THOMAS W. WILSON**  
VICE CHAIR  
Fifth District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**TODD SPITZER**  
SUPERVISOR  
Third District

ATTENDANCE: All Present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER      Michael Schumacher  
COUNTY COUNSEL                      Benjamin P. de Mayo  
CLERK OF THE BOARD                  Darlene J. Bloom

INVOCATION: Chair Coad, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chair Coad presented a resolution proclaiming May 2002 as "Foster Family Month"

Chair Coad presented a resolution proclaiming May 2002 as "National Drug Court Month"

### **II. CONSENT CALENDAR (Items 1-28)**

53124 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS DELETED; ITEM 10 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE; AND ITEMS 25-28 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

### **BOARD APPOINTMENTS**

1. **Supervisor Silva** - Protocol Commission - Reappoint Henry Yee, Huntington Beach, for term ending 1/27/04

# S U M M A R Y   A C T I O N   M I N U T E S

## COMMENDATIONS/PROCLAMATIONS

2.        **Supervisor Silva** - Adopt resolution recognizing and congratulating Darrell Opp for his dedicated service to Orange County Regional Occupational Program  
*RESO: 02-124*

## COMMUNITY SERVICES AGENCY

3.        Approve agreement with Lutheran Social Services of Southern California for Senior Companion Program, effective 5/14/02 (\$74,939); authorize Director of Office on Aging to execute amendments under certain conditions not to exceed \$25,000 - All Districts

53124    **DELETED**

## JOHN WAYNE AIRPORT

4.        Approve amendment 3 to lease with Host International, Inc. for food and beverage concession, extending term to 6/30/04; and make California Environmental Quality Act and other findings - District 2

## ORANGE COUNTY PUBLIC LIBRARY

5.        Adopt resolution certifying commitment to operation of new Tustin Branch Library and consideration of termination of existing lease in the event Tustin is successful in securing a State grant for construction of a new library - District 3  
*RESO: 02-125*

## PLANNING AND DEVELOPMENT SERVICES

6.        Approve price agreement N100000483 with Maximus Consulting Group to conduct analysis of all fees for construction facility service activities - All Districts
7.        Approve Tract 16236, Centex Homes, Ladera Ranch area; accept dedication for street purposes; and approve agreement S0302-0080 and accept bonds guaranteeing construction improvements - District 5

## PUBLIC FACILITIES AND RESOURCES DEPARTMENT

8.        Authorize release of security for street improvements, street lights, landscaping, sewer and water systems and monumentation, Tract 14274, Shea Homes Limited Partnership, Rancho Santa Margarita - District 5
9.        Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements and street lights, Tract 15902, Reston Associates LLC, Ladera area - District 5  
*RESO: 02-126*
10.      Receive and file Traffic Committee Report dated 3/21/02; approve recommendations and adopt necessary resolutions; and rescind resolution 87-341 - Districts 3 & 5
- 35124    **APPROVED AS RECOMMENDED**  
*RESO: 02-127 - 02-129*

# S U M M A R Y   A C T I O N   M I N U T E S

11. Accept work with Tamang Electric for replacement of emergency generator, North Justice Center, Fullerton; project completed 4/9/02 (\$346,134.94) - District 4
12. Approve purchase of mezzanine storage equipment from Tab Products Company for storage of records, Registration & Elections (\$21,488) - District 1
13. Adopt resolution accepting a portion of open space into County Highway System, Moulton Parkway street improvements, Laguna Hills; and make California Environmental Quality Act findings - District 5  
*RESO: 02-130*
14. Adopt resolution certifying completion of street improvements; authorizing release of securities; and accepting public street improvements, Tract 16030, Cross Communities, Inc., Costa Mesa area - District 2  
*RESO: 02-131*
15. Approve plans and specifications and set bid opening for 6/19/02, 2:00 p.m., for remodel of Superior Court/Central Justice Center Legal Research Office - District 1
16. Adopt resolution approving submission of applications to Orange County Transportation Authority for Arterial Highway Rehabilitation Program funds, FY 2002-03 and approve prioritized projects - Districts 2, 3 & 5  
*RESO: 02-132*

## **SOCIAL SERVICES AGENCY**

17. Approve amended price agreement N3000002060 with GTL, Inc. for client protective devices and communication services for Multipurpose Senior Services Program, FY 2001-02 (\$25,000; new total \$39,000) - All Districts

## **PUBLIC PROTECTION**

### **Sheriff-Coroner:**

18. Authorize use of County-owned vehicles for transportation of members of Rotary Club International to various Sheriff's facilities, 5/29/02; and make appropriate findings - All Districts
19. Approve amendment 6 to agreement with Henningson, Durham and Richardson, Inc. for revisions to conform with Contract Policy Manual; Theo Lacy Jail expansion - District 3
20. Adopt resolution approving Joint Powers standard agreement with governmental agencies outside Orange County for forensic analysis and consultation services, not to exceed five years; and authorize Sheriff-Coroner or his designee to execute agreements - All Districts  
*RESO: 02-133*

## **GENERAL ADMINISTRATION**

21. **County Counsel** - Receive and file interim report on slate mailer regulation and direct County Counsel to report back to the Board on 6/4/02 - All Districts

### **County Executive Office:**

# S U M M A R Y   A C T I O N   M I N U T E S

22. Adopt resolution to sponsor exhibit at 2002 State Fair and designate Diane Thomas as representative on the project (\$15,000) - All Districts  
*RESO: 02-134*

23. Approve Legislative Bulletin including recommended positions on introduced or amended legislation - All Districts

24. **Local Redevelopment Auth.-MCAS El Toro Department** - Acting as the Board of Supervisors and MCAS El Toro Local Redevelopment Authority - Reject all bids received 12/5/01 and return bid guarantees for renovation and remodel of Station Headquarters Building 65, MCAS El Toro - All Districts

## **Supervisor Spitzer:**

25. Approve Community Social Program Grant funds to McPherson Magnet School Education Foundation; approve budget adjustments; and make appropriate findings, 5/14/02 - 10/31/02 (\$500)

53124 **APPROVED AS RECOMMENDED**  
N

26. Approve Community Social Program Grant funds to Orange County Cop Bowl; approve budget adjustments; and make appropriate findings, 5/14/02 - 10/31/02 (\$1,000)

53124 **APPROVED AS RECOMMENDED**  
N

27. Approve Community Social Program Grant funds to California Peace Officers' Memorial Foundation; approve budget adjustments; and make appropriate findings, 5/14/02 - 10/31/02 (\$10,000)

53124 **APPROVED AS RECOMMENDED**  
N

28. **Chair Coad** - Approve Community Social Program Grant funds to Orange County Community Development Council; approve budget adjustments; and make appropriate findings, 5/14/02 - 5/31/03 (\$5,000)

53124 **APPROVED AS RECOMMENDED**  
N

**END OF CONSENT CALENDAR**

# S U M M A R Y   A C T I O N   M I N U T E S

## III. DISCUSSION ITEMS (Items 29-40)

### COMMUNITY SERVICES AGENCY

29. Approve amendment 3 to agreement with Garden Grove One Stop Center West for increase of Non-Traditional Training Program performance requirements and funding allocation (\$34,000; new total \$2,478,868) - District 1  
13254 **APPROVED AS RECOMMENDED**
30. Approve amended agreement with La Habra/One-Stop Center North for increase of Workforce Investment Act Youth allocation funds (\$103,138; new total \$515,690) - District 4  
43125 **APPROVED AS RECOMMENDED**
31. Receive and file Implementation Plan for Tobacco Settlement Senior Non-Emergency Medical Transportation Program; approve budget adjustments and amend master position control - All Districts (RA # 3 4/5 vote) (Continued from 5/7/02, Item 35)  
51234 **APPROVED AS RECOMMENDED**

### HEALTH CARE AGENCY

32. Approve amended agreement with State Department of Alcohol and Drug Programs for Comprehensive Drug Court Implementation Program grant funds, reduced term ending 12/28/04 (\$1,199,712 reduction; new total \$2,409,213) - All Districts  
45123 **APPROVED AS RECOMMENDED**
33. Approve amended agreement with State Department of Alcohol and Drug Programs for Drug Court Partnership Program grant funds, reduced term ending 6/30/02 (\$472,817 reduction; new total \$1,223,177); and authorize Director or designee to approve related amendments to Letter of Agreement - All Districts  
51234 **APPROVED AS RECOMMENDED**
34. Approve agreements with College Hospital Cerritos, College Hospital Costa Mesa, Inc., Huntington Beach Hospital, La Palma Inter-Community Hospital, Western Medical Mental Health Center - Anaheim and The Regents of the University of California, Irvine for Medi-Cal Managed Care Psychiatric Inpatient services, 7/1/01 - 6/30/03 - All Districts  
14235 **APPROVED AS RECOMMENDED**

### HOUSING AND COMMUNITY DEVELOPMENT

35. **Acting as the Orange County Housing Authority** - Approve loan commitment for Westminster Senior Apartments, Westminster (\$1,338,541); and authorize Director or designee to execute loan, restrictive covenant, subordination and other related documents - District 1  
13254 **APPROVED AS RECOMMENDED**
36. **Acting as the Board of Supervisors and Orange County Development Agency** - Approve revised Mortgage Assistance Program; authorize issuance of request for proposals for program administrator; and adopt resolutions finding Development Agency Funds will benefit Neighborhood use of Development and Preservation Plan project areas and Santa Ana Heights Redevelopment Plan (\$525,000) - All Districts  
51234 **APPROVED AS RECOMMENDED**  
*RESO: 02-135 - 02-136*

# S U M M A R Y   A C T I O N   M I N U T E S

## PUBLIC PROTECTION

### **Sheriff-Coroner:**

37. Approve amended agreement with Laguna Woods for enhanced law enforcement services (\$8,211; new total \$622,510) - District 5  
51234 **APPROVED AS RECOMMENDED**
38. Approve amended agreement with Aliso Viejo for enhanced law enforcement services, (\$23,928; new total \$561,861) -District 5  
51234 **APPROVED AS RECOMMENDED**

## GENERAL ADMINISTRATION

39. **County Executive Office** - Approve price agreement Z100000025 with Capita Technologies, Inc. for non-exclusive perpetual worldwide distribution rights to license and sublicense County's Internet-based Virtual Job Posting system, effective 5/7/02; and authorize discounted sale of online Job Application to government entities under certain conditions - All Districts (Continued from 5/7/02, Item 53)  
B.O. **DELETED**
40. **Chair Coad** - Reconsideration of Board action taken on 4/16/02 supporting annexing MCAS El Toro Base to the City of Irvine, excluding areas designated for County regional facilities  
B.O. **CONTINUED TO 6/4/02, 9:30 A.M.**

## IV. PUBLIC HEARINGS (None)

## V. CLOSED SESSION (Items CS-1-CS-2)

### **County Counsel:**

- CS-1. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: ETRPA v. County of Orange, Board of Supervisors, et al., San Diego Sup. Ct. Case No. GIC785764; County of Orange v. City of Laguna Woods, et al., San Diego Sup. Ct. Case No. GIC781205; ETRPA v. Southern Calif. Assoc. of Governments (County of Orange, Intervenor), OCSC Case No. 01CC06129; ETRPA and Paul Eckles v. Board of Supervisors; et al., San Diego Sup. Ct. Case No. GIC776645; consolidated with Bart Garry v. City of Irvine, County of Orange, et al., San Diego Sup. Ct. Case No. GIC779128; ETRPA, et al. v. Board of Supervisors, et al., Court of Appeal, Case No. DO37802; Citizens for Jobs & the Economy, et al. v. County of Orange, et al., Court of Appeal, Case No DO37543; County of Orange v. City of Irvine, OCSC Case No. 00CC03146; consolidated with Citizens for Jobs & the Economy v. City of Irvine, OCSC Case No. 00CC03173; Songstad v. Superior Court, Court of Appeal Case No. DO38503 (appeal from OCSC Case No. 01CC08612); Naughton v. Board of Supervisors, Orange County Superior Court Case No. 02CC04400; and Nestande and CJE v. Watson, et al., OCSC Case No. 01CC08612 - All Districts  
B.O. **HELD, NO REPORTABLE ACTION**

# S U M M A R Y   A C T I O N   M I N U T E S

- CS-2. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: St. Jude Hospital Yorba Linda, et al. v. County of Orange, et al., Orange County Superior Court Case No. 01CC07127 - All Districts
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF ST. JUDE HOSPITAL YORBA LINDA, ET AL. V. COUNTY OF ORANGE, ET AL. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**

## **VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT**

### **PUBLIC COMMENTS:**

None

### **BOARD COMMENTS:**

Chair Coad - Oral Re: Opening of new Superior Court Assembly Room for jurors

### **ADJOURNED: 11:59 A.M.**

41235 Adjourned in memory of Russell Knott

\*\*\* KEY \*\*\*

#### ***Left Margin Notes***

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Spitzer
4. ✓ Chair Coad
5. ✓ Supervisor Wilson

- A. ✓ Abstained  
X. ✓ Excused  
N. ✓ No  
BO ✓ Board Order

#### ***Right Margin Notes***

- O. ✓ Ordinance  
R. ✓ Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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CYNTHIA P. COAD, CHAIR  
Orange County Board of Supervisors

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DARLENE J. BLOOM  
Orange County Clerk of the Board